

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, FEBRUARY 4, 2013**

I. CALL TO ORDER

Supervisor Kenneth Fletcher called the meeting to order at 6:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Trustee Karen Mojica, Trustee Jeff Hicks, Trustee Dennis Fedewa, Treasurer Howard Pizzo, Clerk Mary Clark, and Supervisor Kenneth Fletcher. Trustee Doug Kosinski arrived at 6:14 p.m.

Members Absent:

Others Present: Community Development Director Mark Graham, Lt. Jeff Campbell, Township Manager Richard Watkins, and Deputy Manager Jenny Roberts

TRUSTEE HICKS MOVED THAT TRUSTEE KOSINSKI BE EXCUSED.
TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS

1. Eaton County Sheriff Reich

Sheriff Reich said he hoped to attend as many Board meetings as possible to show the Sheriff Department's commitment towards working with the Township in providing public safety.

V. SET/ADJUST AGENDA

TRUSTEE FEDEWA MOVED THAT THE AGENDA BE APPROVED AS SUBMITTED.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 6-0.

VI. PUBLIC HEARINGS - None

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA - None

IX. INTRODUCTION OF ORDINANCES

2. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-95, Curfew for Minors.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE I OF CHAPTER 28. THIS PROPOSED ORDINANCE WOULD ESTABLISH CURFEWS FOR MINORS, AS DEFINED IN SECTION 28-95 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

TRUSTEE MOJICA SUPPORTED THE MOTION.

Treasurer Pizzo questioned if the proposed amendment took Trustee Kosinski's concerns into consideration regarding parental responsibilities.

Lt. Campbell said the language contained in the ordinance had been changed so that the parental responsibility element of the ordinance only applied upon a second or subsequent offense. He noted that the ordinance contained a number of elements that were more restrictive than State law when dealing with a minor out after curfew.

Trustee Kosinski felt the changes made to the proposed language addressed the concerns he had previously expressed.

MOTION PASSED 7-0.

3. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-96, Prowling, Window Peeping, and Trespassing.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE III OF CHAPTER 28 BY ADDING. THIS PROPOSED ORDINANCE WOULD MAKE IT A MISDEMEANOR OFFENSE TO BE ON THE PROPERTY OF ANOTHER IN THE NIGHTTIME WITHOUT PERMISSION, LOOKING INTO THE WINDOWS AND DOORS OF THE BUILDING, HOUSE, DWELLING, OR STRUCTURE AND TRESPASS AS DEFINED IN SECTION 28-96 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

Trustee Fedewa questioned how the word “trespass” was defined in the ordinance.

Lt. Campbell said the ordinance defined “trespass” as unlawfully being on the property of another or the representative of the business after being asked to leave. Lt. Campbell noted that the proposed amendment mirrored the State’s trespassing law.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 7-0.

4. **Introduction of Proposed Amendments to Chapter 28 of the Delta Township Code of Ordinances** – Lt. Campbell recommends that the Township Board introduce amendments to the Code of Ordinances by adding a new Section 28-97, Unlawful Expectoration, Urination, and Defecation.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AN AMENDMENT TO THE DELTA TOWNSHIP CODE OF ORDINANCES ARTICLE III OF CHAPTER 28. THIS PROPOSED ORDINANCE WOULD MAKE IT A MISDEMEANOR OFFENSE TO EXPECTORATE, URINATE, OR DEFECATE IN PUBLIC SPACES OR PRIVATE PLACES WHILE SUCH ACT IS OPEN TO THE PUBLIC VIEW AS DEFINED IN SECTION 28-94 IN THE DELTA TOWNSHIP CODE OF ORDINANCES. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS, AND INDICATE THAT THE BOARD WILL CONSIDER FINAL ACTION ON THE AMENDMENT AT THEIR FEBRUARY 18, 2013 MEETING.

TREASURER PIZZO SUPPORTED THE MOTION.

Trustee Hicks inquired about the term “expectorate” and the issues surrounding the proposed amendment. He felt the proposed ordinance was somewhat broad and archaic.

Lt. Campbell said the proposed amendment was a housekeeping measure that combined other ordinances into one and that urinating, spitting, and defecating in public were not previously covered under disorderly conduct.

Lt. Campbell said the ordinance would provide law enforcement with the capabilities to address a problem before it became a bigger problem.

Trustee Fedewa understood Mr. Hick's concerns, but spitting potentially posed a public health risk.

VOICE VOTE. CARRIED 7-0.

5. **Introduction of Proposed Zoning Ordinance Amendments pertaining to On-Site Stormwater Facilities for Compliance with Federal & State Phase Two Stormwater Regulations (Case No. 12-12-16)** – The Community Development Department recommends that the Delta Township Board introduce proposed Zoning Ordinance text amendments pertaining to On-Site Stormwater Management Facilities in Section 19.10.0 A.(10) of the Delta Township Zoning Ordinance.

TRUSTEE FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE PROPOSED ZONING ORDINANCE TEXT AMENDMENTS PREPARED BY STAFF PERTAINING TO ON-SITE STORMWATER MANAGEMENT FACILITIES IN SECTION 19.10.0 A.(10) OF THE DELTA TOWNSHIP ZONING ORDINANCE, AND DESCRIBED IN CASE NO. 12-12-16. FURTHER, THESE AMENDMENTS SHALL BE CONSIDERED FOR FINAL ACTION BY THE BOARD AT THE FEBRUARY 18, 2013 REGULAR MEETING, AND THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 7-0.

X. PASSAGE OF ORDINANCES - None

XI. CONSENT AGENDA

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE HICKS, TRUSTEE MOJICA,
TRUSTEE KOSINSKI, TRUSTEE FEDEWA, CLERK CLARK,
AND SUPERVISOR FLETCHER

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

6. Bills & Financial Transactions - \$1,493,135.66

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$1,493,135.66.

Bond/Debt Payments	\$
Investments	\$
Payroll & Related	\$316,803.67
Refunds	\$ 14,380.77
Tax Distributions	\$735,990.76
Vendor Claims	\$425,960.46

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

7. Minutes – January 22, 2013 Regular Board Meeting Minutes

TREASURER PIZZO MOVED THAT THE JANUARY 22, 2013 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 7-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION - None

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None

XIV. ITEMS OF BUSINESS – None

XV. MANAGER'S REPORT

Township Manager Watkins informed the Board of the following:

- Pictures of newly elected Board members would be taken before the start of the Board's February 18th meeting.
- The Township Manager and Deputy Manager attended the Winter Institute of the Michigan Local Government Managers conference last week which addressed communication and coaching.

XVI. COMMITTEE OF THE WHOLE

8. Overview of Comprehensive Plan – Mark Graham

Community Development Director Mark Graham provided an overview of the 2013 Comprehensive Plan which was adopted on January 28, 2013 by the Planning Commission. The Plan would be presented to the Board at their February 18th for their review and acceptance of the Plan.

Treasurer Pizzo said two areas of the Plan that he felt were significant was the potential in the future to expend public utilities to the Delta Mills area north of the river and the Low Density Residential and Agricultural zoning classifications that existed west of the freeway and the potential for future growth.

XVII PUBLIC COMMENTS

Trustee Fedewa inquired as to whether an invitation had ever been extended to the Chairperson of the Planning Commission to address the Board regarding the Comprehensive Plan.

Mr. Graham said he would extend the invitation to the Chairperson to attend the Board's February 18th meeting.

XVIII ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 6:44 p.m.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK

/as

M:\Regular Board Meeting\BD\MIN\February 4, 2013

Minutes Approved: